

20731/10756/TAR/SC/PJW

IN THE UNITED STATES DISTRICT COURT, EASTERN DIVISION  
FOR THE NORTHERN DISTRICT OF ILLINOIS

PATRICIA TWOHILL,

Plaintiff,

v.

HOWMEDICA, INC., a foreign  
corporation,

Defendant.

No.

01C 1146

JUDGE KENNELLY

Judge

MAGISTRATE JUDGE  
GERALDINE SOAT BROWN

(Circuit Court No. 00 L 10714)

NOTICE OF FILING

TO: Joseph V. Roddy  
The Law Offices of Joseph V. Roddy  
77 W. Washington St.  
Suite 1100  
Chicago, IL 60602

**PLEASE TAKE NOTICE** that on the 20<sup>th</sup> day of February, 2001, we filed with the Clerk of Court for the Northern District of Illinois, the attached Defendant, HOWMEDICA, INC.'s Notice of Removal, Removal Notice to Adverse Party, Appearance and Jury Demand.

A copy of the aforementioned documents is hereby served upon you.

FEB 21 2001

Respectfully submitted,

HOWMEDICA, INC.

By: 

One of its attorneys

Thomas A. Reed  
Sarah G. Cronan  
Patrick J. Woytek  
CASSIDAY, SCHADE & GLOOR  
20 North Wacker Drive, Suite 1040  
Chicago, Illinois 60606  
(312) 641-3100  
Attorney No. 01936

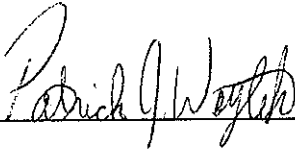
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FEB 20 PM 3:34  
CLERK  
U.S. DISTRICT COURT

DOCKETED

1-1

**PROOF OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing Notice of Filing and Defendant, HOWMEDICA INC.'s Notice of Removal, Removal Notice to Adverse Party, Appearance and Jury Demand described above was deposited in a United States Post Office box, enclosed in an envelope, with postage fully prepaid, and plainly addressed to Joseph V. Roddy, The Law Offices of Joseph V. Roddy, 77 W. Washington St., Suite 1100, Chicago, IL 60602, before the hour of 5:00 p.m. this 20<sup>th</sup> day of February, 2001.

  
\_\_\_\_\_

6171571

20731/10756/TAR/SGC/PJW

Attorney # 01936

IN THE UNITED STATES DISTRICT COURT, EASTERN DIVISION  
FOR THE NORTHERN DISTRICT OF ILLINOIS

PATRICIA TWOHILL,

Plaintiff,

v.

HOWMEDICA, INC., a foreign corporation, MAGISTRATE JUDGE GERALDINE SOAT BROWN

Defendants.

01C

1146

No.

Judge

(Circuit Court No. 00 L  
10714 F)

JUDGE KENNELLY

DOCKETED  
FEB 21 2001

**DEFENDANT, HOWMEDICA, INC.'S NOTICE OF REMOVAL**

Now comes Defendant MTG DIVESTITURES, INC. f/k/a HOWMEDICA, INC., and hereinafter "HOWMEDICA", by and through its attorneys, Thomas A. Reed, Sarah G. Cronan, Patrick J. Woytek and Cassiday, Schade & Gloor, and states that it has been sued as the Defendant in a civil action entitled *Patricia Twohill v. Howmedica, Inc.*, bearing Case No. 00 L 10714, in the Circuit Court of Cook County, Illinois. Defendant hereby files in the United States District Court for the Northern District of Illinois, Eastern Division, its Notice of Removal for removal of said civil action to the United States District Court for the Northern District of Illinois, Eastern Division.

Copies of this Notice of Removal are herewith served upon counsel of record for the Plaintiff, PATRICIA TWOHILL, and a copy of this Notice of Removal is being filed with the Clerk of the Circuit Court of Cook County, Illinois, in conformity with 28 U.S.C. §1446. Defendant, HOWMEDICA represents that the grounds for removal are as follows:

1. On September 19, 2000, Plaintiff filed the instant products liability action in the Circuit Court of Cook County, Illinois against HOWMEDICA, the manufacturer of a total knee implant system.

2. Defendant, HOWMEDICA, received a copy of the Summons and the Complaint on December 21, 2000. Copies of the Summons and Complaint are attached hereto respectively as Exhibit "A" and Exhibit "B".

3. Defendant, HOWMEDICA, is a foreign corporation organized and existing under the laws of the State of Delaware, and the principal place of business of Defendant, HOWMEDICA, is located in the State of New York.

4. Plaintiff, PATRICIA TWOHILL, is a citizen of the State of Illinois.

5. Plaintiff's Complaint does not contain an express ad damnum in an amount exceeding Seventy-Five Thousand (\$75,000) Dollars. However, the Complaint was filed with an Affidavit signed by Plaintiff's counsel, Joseph V. Roddy, which stated and affirmed that the "Damages sought in the above captioned action exceed \$50,000." A copy of the Affidavit of Mr. Roddy is attached as part of Exhibit "B". Accordingly, under Local Rule 81.2, on January 22, 2001, the Defendant, HOWMEDICA, served Plaintiff's counsel with a Request for Admissions of Fact to establish whether the amount in controversy exceeds Seventy-Five Thousand (\$75,000) Dollars. On February 2, 2001, the Plaintiff filed her Response to Request for Admissions in which the Plaintiff admits that she is seeking damages in excess of \$75,000. See Copy of Plaintiff's Response to Defendant's Request for Admissions of Fact attached as Exhibit "C".

6. It is the Defendant, HOWMEDICA's good faith belief that the amount in controversy exceeds Seventy-Five Thousand (\$75,000) Dollars, exclusive of interest and costs. The basis for HOWMEDICA's good faith belief is receipt of the Plaintiff's Response to Defendant's Request for Admission of Fact. Plaintiff, PATRICIA TWOHILL, alleges that she had her knee replaced with the Defendant's total knee implant system, that the implanted system failed, and that

as a result she was required to undergo and incur expenses for two revision surgeries to repair the implanted system, and that she has endured pain, suffering, and sustained various disabilities.

7. Pursuant to the provisions of 28 USC §1332, the District Court has jurisdiction over all civil actions between citizens of different States where the matter in controversy exceeds the sum or value of Seventy-Five Thousand (\$75,000) Dollars, exclusive of interest and costs.

8. Removal is timely since the Defendant removes this civil action within thirty (30) days after receipt of Plaintiff's Response to Defendant's Request for Admissions of Fact. Pursuant to Local Rule 81.2, the receipt of this admission by the Defendant constitutes the receipt of a "paper from which it may first be ascertained that the case is one which is or has become removable" within the meaning of 28 U.S.C. § 1446(b).

WHEREFORE, Defendant, HOWMEDICA, INC., prays that this Notice of Removal be accepted as good and sufficient, that the aforesaid action and Complaint be removed from the Circuit Court of Cook County, Illinois to this Honorable Court for trial and determination as provided by law, and that this Court enter such Orders and issue such process as may be proper to bring before it copies of all records and proceedings in said civil action from said Circuit Court and, thereupon, proceed with the civil action as if it originally had been commenced in this Court.

Dated: February 20, 2001

Respectfully submitted,

HOWMEDICA INC.

By: 

One of its attorneys

Thomas A. Reed  
Sarah G. Cronan  
Patrick J. Woytek  
CASSIDAY, SCHADE & GLOOR  
20 North Wacker Drive  
Suite 1040  
Chicago, Illinois 60606  
(312) 641-3100  
Attorney No. 01936

6171449 PWOYTEK;PWOYTEK

JAN-11-01 13:46 From: PFIZER INC

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T-780 P.13/14 Job-551

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ALIAS - SUMMONS

(Rev. 5/1/92) CCG-

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

(Name all parties)

PATRICIA TWOHILL,

Plaintiff,

v.

HOWMEDICA INC.,

Defendant.

No. 00 L 10714

PLEASE SERVE:

Howmedica Inc.

R/A Secretary of State

17 N. State Street

Suite 1137

Chicago, IL 60602

## SUMMONS

To each defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file appearance, in the office of the Clerk of this Court (located in the Richard J. Daley Center, Room \_\_\_\_\_, Chicago, Illinois 60602) within 30 days after service of this summons, not counting the day of service. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT.

To the officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than 30 days after its date.

WITNESS, \_\_\_\_\_, 2000

OCT 11 2000

AURELIA PUCINSKI  
Clerk of court

Name Law Offices of Joseph Roddy Date of service: \_\_\_\_\_  
Attorney for Plaintiff  
(To be inserted by officer on copy left with  
Address 77 W. Washington Street, Suite 1100 defendant or other person)  
City Chicago, IL 60602  
Telephone (312) 368-8220  
Atty. No. 48373

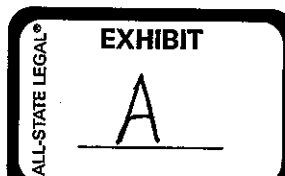


\*\*Service by Facsimile Transmission will be accepted at 312-368-8486

(A.C.) (Facsimile Telephone)

AURELIA PUCINSKI, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

\*Law Division Room 801  
Chancery-Divorce Room 802  
County Division Room 801  
Probate Division Room 1202



TOTAL P.11

JAN-11-01 13:44 From: PFIZER INC

2128573563

T-780 P.05/14 Job-551

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

PATRICIA TWOHILL,

Plaintiff,

v.

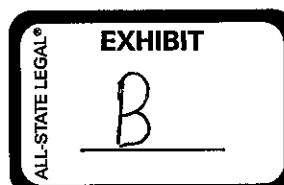
HOWMEDICA, INC.,  
a foreign corporation,

Defendant.

Complaint At Law

NOW COMES the Plaintiff, PATRICIA TWOHILL, by and through her attorneys, The Law Offices of Joseph V. Roddy, and states as follows:

1. Plaintiff is a resident of Cook County, Illinois.
2. Defendant, HOWMEDICA, INC., was a foreign corporation licensed to do business in Illinois, until it withdrew on August 11, 1999.
3. On or about October 2, 1996, plaintiff submitted to examination, diagnosis, treatment, and surgery by Dr. Mercier, a physician, with offices located at 104 S. Michigan Avenue Suite # 316, Chicago, Illinois.
4. During the course of the treatment described above, plaintiff was required to undergo a surgical procedure which plaintiff understands to be properly termed a total knee arthroplasty. During that surgery a certain prosthetic device, which plaintiff understands to be properly termed a tibial tray, was placed in the plaintiff's knee.



00L10714

ACTION CALL



JAN-11-01 13:44 From:PFIZER INC

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T-780 P.06/14 Job-551

5. The prosthetic device was designed, manufactured, supplied, and sold by the Defendant, HOWMEDICA, INC.

6. The prosthetic device was defective, and its implementation in plaintiff's knee has caused severe injuries. The Defendant was negligent in the design, manufacture, storage, transportation, and sale of the prosthetic device, and its negligence was a direct and proximate cause of the injuries and damages suffered by the plaintiff.

7. The defendant by selling, supplying, and distributing the prosthetic device, impliedly warranted its safety to anyone who might lawfully use it for the purposes for which it was intended. The defendant further knew or should have known that the device would be used without inspection by the plaintiff who was unlearned and unskilled in those matters, and the defendant knew or should have known that the device would be used by plaintiff without inspection for defects. The defendant expressly or impliedly represented to plaintiff that the device was safe and proper for the intended use, but that was not so, since the device was defective, and the defendant breached its warranty and representation and is subject to strict liability. The defective prosthesis was the proximate cause of the plaintiff's injuries and damages.

8. Within two years after the prosthetic device was implanted in plaintiff's body, the device failed by completely tearing away from the patella bone. As a result of this failure,

JAN-11-01 13:45 From:PFIZER INC

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T-780 P.07/14 Job-551

on January 24, 1998, plaintiff underwent a revision of the right knee. After the second surgery Plaintiff continued to suffer severe pain. It was determined that she suffered from a fracture of the tibial component and polyethylene. A third surgery was required.

9. The design of the prosthetic device, the selection of materials from which it was fabricated, the manufacturing procedures by which it was made, and the inspection procedures attendant on the manufacturer as well as the packaging of the device and the distribution and storing of the device, were all functions solely within the control of the defendant.

10. The tearing away from the patella bone, the fracture of tibial component, and fracture of polyethylene are not events that normally occur without negligence in the design, manufacture, fabrication, transportation, or storage of the device.

11. Defendant, HOWMEDICA, INC., as the manufacturer of the device knew or should have known that unless the device was carefully and properly designed, manufactured, transported and stored would constitute an unreasonable risk of substantial bodily harm to those who used it for which it was made and intended. At the time in question, the device was being properly used for the purpose for which it was intended, but the device was in fact defective, unsafe, and unreasonably dangerous.

12. At the time of the selling, distribution, and supplying

JAN-11-01 13:45 From:PFIZER INC

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T-780 P.08/14 Job-551

of the device, the device was unsafe and defective. As so designed, manufactured, fabricated, assembled, transported, and stored, the device was unreasonably dangerous to anyone who might use it for the purposes for which it was intended and it was in fact defective and unfit, dangerous and unsafe, unsuitable and dangerous to be placed in plaintiff's body.

13. At the time of the initial surgery mentioned in this complaint, the plaintiff was fully able to work and perform her usual and customary activities; but for the breach of warranties and negligence of the defendants, plaintiff would have continued with those capabilities for the remainder of her life. As a direct and proximate result of the negligence of the defendant and as a result of the breach of assurances, representations, and warranties, plaintiff sustained severe, permanent, and emotionally distressing injuries, productive of physical pain and mental anguish.

14. Other than the condition for which submitted for treatment, plaintiff was in excellent health. Plaintiff has been caused to suffer injuries requiring plaintiff to undergo additional surgical procedures. Plaintiff's condition was caused to be aggravated and worsened, emotionally upsetting the plaintiff, all because of the breaches of warranties as described above, and negligence of the defendant.

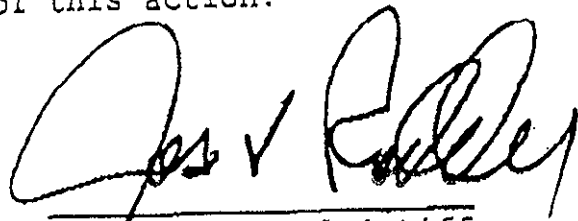
WHEREFORE, Plaintiff, PATRICIA TWOHILL, asks judgment against the Defendant, HOWMEDICA, INC., in a sum in excess of the

JAN-11-01 13:45 From:PFIZER INC

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T-780 P.09/14 Job-551

jurisdictional amount and costs of this action.



Attorney for Plaintiff

The Law Offices Of Joseph V. Roddy  
77 West Washington, Suite 1100  
Chicago, Illinois 60602  
#48373

JAN-11-01 13:45 From:PFIZER INC

2128573563

T-780 P.10/14 Job-551

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

PATRICIA TWOHILL,

Plaintiff,

v.

No:

HOWMEDICA, INC.,  
a foreign corporation,

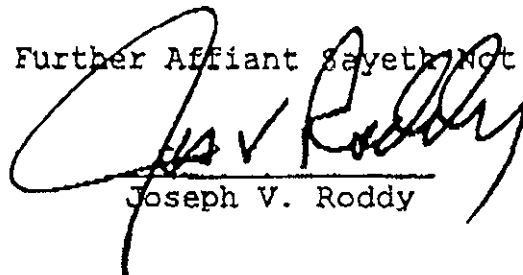
Defendant.

Affidavit Pursuant to Supreme Court Rule 222

I, Joseph V. Roddy, one of the attorneys for the Plaintiff,  
PATRICIA TWOHILL, state under oath as follows:

1. Damages sought in the above captioned action exceed  
\$50,000.

Further Affiant Sayeth Not

  
Joseph V. Roddy

Subscribed and sworn to me  
this 14th day of September, 2000



OFFICIAL SEAL

MARY C RODDY

NOTARY PUBLIC, STATE OF ILLINOIS

My commission expires on 09/22/01 Joseph V. Roddy

West Washington, Suite 1100

Chicago, Illinois 60602

#48373

20731/2R/SGC/PTW/CSB/10758

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

PATRICIA TWOHILL

Plaintiff,

and

HOWMEDICA,

Defendant.

No. 00 L 10714F

NOTICE OF FILING

TO: Cassiday, Schade & Gloor  
20 N. Wacker Drive  
Suite 1040  
Chicago, IL 60606

PLEASE TAKE NOTICE that we have this day, the 2<sup>nd</sup> day of February, 2001, filed with the Clerk of the Court, Response to Defendant's Request for Admission of Facts Directed To the Plaintiff, Patricia Twohill, in accordance with the Rules and Provisions of the Supreme Court.

*Joseph V. Roddy*  
Attorney for Plaintiff

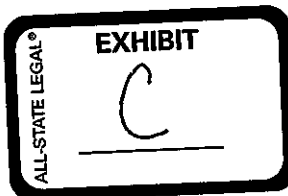
LAW OFFICES OF JOSEPH V. RODDY  
77 West Washington St., Suite 1100  
Chicago, IL 60602  
(312) 368-8220  
Attorney No. 48373

The undersigned being first duly sworn on oath, deposes and says that s/he served a copy of the above and foregoing Notice together with a copy of the same herein referred to, upon the above-named attorney at the cited address by placing same in a duly addressed and stamped envelope and depositing same in the U.S. Mail Chute located at 77 W. Washington, Chicago, Illinois on the 2<sup>nd</sup> day of February, 2001.

[ ] Under penalties as provided by law pursuant to 735 ILCS 5/1-109 I certify that the statements set forth herein are true and correct.

Date: 2/2/01

*Deane Johnson*



STATE OF ILLINOIS )  
 ) SS  
COUNTY OF C O O K )

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

PATRICIA TWOHILL,

Plaintiff,

vs.

HOWMEDICA, INC., a foreign corporation,

Defendant

No. 00 L 1034E

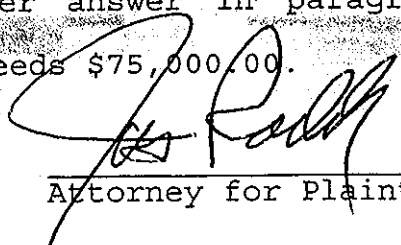
DOROTHY E. ERGIN  
CLERK

01 FEB -2 PM 3:50  
CIRCUIT COURT OF COOK  
COUNTY, ILLINOIS

RESPONSE TO DEFENDANT'S REQUEST FOR ADMISSION  
OF FACTS DIRECTED TO PLAINTIFF, PATRICIA TWOHILL

NOW COMES the plaintiff, PATRICIA TWOHILL, and in response to the defendants request for admission of facts directed to her, states as follows:

1. Admits that the damages incurred by Patricia Twohill exceeds \$75,000.00, and further states that she seeks relief and will request of a jury an amount far in excess of \$75,000.00.
2. Denies the allegations in paragraph 2, furthermore states, please refer to her answer in paragraph 1, because the damages far exceeds \$75,000.00.

  
Attorney for Plaintiff

LAW OFFICES OF JOSEPH V. RODDY #48373  
77 West Washington Street  
Suite 1100  
Chicago, IL 60602  
(312) 368-8220



JS 44  
(Rev. 12/96)**CIVIL COVER SHEET**

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**

Patricia Twohill

JUDGE KENNELLY

**01C 1146**(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Illinois  
(EXCEPT IN U.S. PLAINTIFF CASES)

MAGISTRATE JUDGE

**GERALDINE SOAT BROWN**

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

The Law Offices of Joseph V. Roddy  
77 W. Washington St.  
Suite 1950  
Chicago, IL 60602

**DEFENDANTS**

MTG Divestitures, Inc. f/k/a Howmedica, Inc.  
and named herein as "Howmedica, Inc."

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

ATTORNEYS (IF KNOWN)

Thomas A. Reed      Cassidy, Schade & Gloor  
Sarah G. Cronan      20 N. Wacker, Suite 1040  
Patrick J. Woytek      Chicago, IL 60606

**II. BASIS OF JURISDICTION**

(PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff  
☐ 2 U.S. Government Defendant  
☐ 3 Federal Question (U.S. Government Not a Party)  
☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES**

(For Diversity Cases Only)

(PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- |   |   |                            |                                       |
|---|---|----------------------------|---------------------------------------|
| <b>PTF</b>                              | <b>DEF</b>  | <b>PTF</b>                 | <b>DEF</b>                            |
| <input checked="" type="checkbox"/> 1   | <input type="checkbox"/> 1                                    | <input type="checkbox"/> 4 | <input type="checkbox"/> 4            |
| Citizen of This State                   | Incorporated or Principal Place of Business in This State     |                            |                                       |
| <input type="checkbox"/> 2              | <input type="checkbox"/> 2                                    | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen of Another State                | Incorporated and Principal Place of Business in Another State |                            |                                       |
| <input type="checkbox"/> 3              | <input type="checkbox"/> 3                                    | <input type="checkbox"/> 6 | <input type="checkbox"/> 6            |
| Citizen or Subject of a Foreign Country | Foreign National  |                            |                                       |

**IV. ORIGIN**

(PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 Original Proceeding  
☒ 2 Removed from State Court  
☐ 3 Remanded from Appellate Court  
☐ 4 Reinstated or Reopened  
☐ 5 Transferred from another district (specify)  
☐ 6 Multidistrict Litigation  
☐ 7 Appeal to District Judge from Magistrate Judgment

**V. NATURE OF SUIT**

(PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury  <b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input checked="" type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability  <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157  <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motion to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))  <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609

**VI. CAUSE OF ACTION**

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

28 USC Section 1332 - diversity of citizenship

**VII. REQUESTED IN COMPLAINT**

CHECK IF THIS IS A CLASS ACTION  
☐ UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint

JURY DEMAND: ☒ YES ☐ NO**VIII.**

This case

☐ is not a refiling of a previously dismissed action.☐ is a refiling of case number \_\_\_\_\_, previously dismissed by Judge \_\_\_\_\_

DATE

SIGNATURE OF ATTORNEY OF RECORD

February 20, 2001

*[Signature]*

UNITED STATES DISTRICT COURT

1-2



## UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

JUDGE KENNELLY

01C 1146

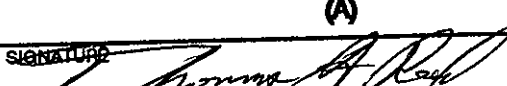
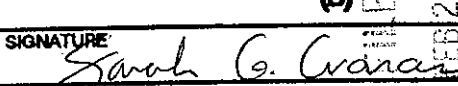
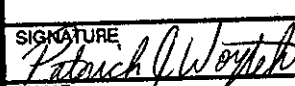
In the Matter of PATRICIA TWOHILL v.  
HOWMEDICA, INC.

Case Number:  
MAGISTRATE JUDGE  
GERALDINE SOAT BROWN

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR:

MTG Divestitures, Inc. f/k/a Howmedica, Inc. and named herein as

"Howmedica, Inc."

(A)	(B)
SIGNATURE 	SIGNATURE 
NAME Thomas A. Reed	NAME Sarah G. Cronan
FIRM Cassiday, Schade & Gloor	FIRM Cassiday, Schade & Gloor
STREET ADDRESS 20 N. Wacker, Suite 1040	STREET ADDRESS 20 N. Wacker, Suite 1040
CITY/STATE/ZIP Chicago, IL 60606	CITY/STATE/ZIP Chicago, IL 60606
TELEPHONE NUMBER 312/641-3100	TELEPHONE NUMBER 312/641-3100
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 02300516	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 06203823
MEMBER OF TRIAL BAR? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
	DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
(C)	(D)
SIGNATURE 	SIGNATURE
NAME Patrick J. Woytek	NAME
FIRM Cassiday, Schade & Gloor	FIRM
STREET ADDRESS 20 N. Wacker, Suite 1040	STREET ADDRESS
CITY/STATE/ZIP Chicago, IL 60606	CITY/STATE/ZIP
TELEPHONE NUMBER 312/641-3100	TELEPHONE NUMBER
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) ARDC No. 6256888	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)
MEMBER OF TRIAL BAR? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>
TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input type="checkbox"/>
DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>

PLEASE COMPLETE IN ACCORDANCE WITH INSTRUCTIONS ON REVERSE.

1-3